

**VERDICT FORM A**

We, the jury, find for Marisssa Lingafelter, as special administrator of the estate of Lewis Lingafelter, Jr., and against the following:

Overnite Transportation Co. and James Garrett: Yes:   X   (admitted)

Illinois State Toll Highway Authority: Yes:        No:   X  

and further find the following:

First: we find that the total amount of damages suffered by plaintiff as a proximate result of the occurrence in question is \$ 22,520,000 itemized as follows:

Pecuniary Loss  
\$ 5,020,000

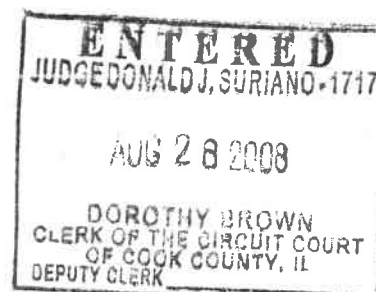
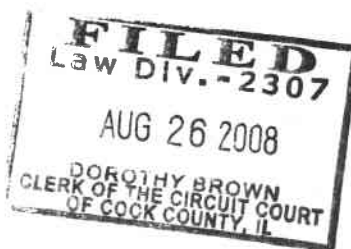
Loss of Society  
\$ 17,500,000

Second: If you answer yes above as to the Illinois State Toll Highway Authority, then you must apportion damages. Assuming that 100% represents the total combined negligence of all persons or entities whose negligence proximately contributed to Lewis Lingafelter, Jr.'s injuries and/or damages, including Overnite Transportation Company/James Garrett and the Tollway, we find that the percentage of such negligence is assigned as follows:

Overnite Transportation Company and James Garrett: 100 percent (%)

The Illinois State Toll Highway Authority: 0 percent (%)

TOTAL: 100 percent (%)



  
Foreperson

Melissa Disaeno

Maury Maury  
Rain Shute

R. W. Gray

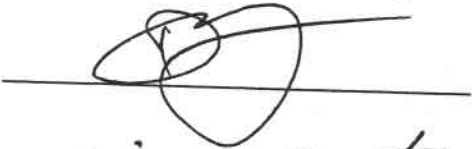
Bobby Stude



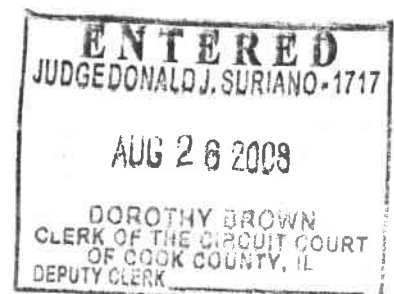
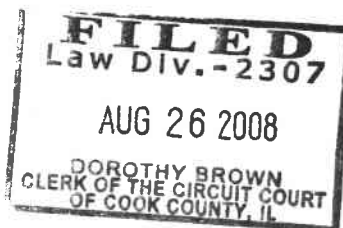
C.A. Myrtle

Gay Johnson

Lesa Wilcher



Jaime Ortega



SPECIAL INTERROGATORY NO. 1

Was James Garrett's conduct the sole proximate cause of the accident?

Yes X

No \_\_\_\_\_

[Signature]  
Foreperson

Melissa DiSalvo

Maureen Morley

Roni Hart

R. Mera

Betty Hude

[Signature]

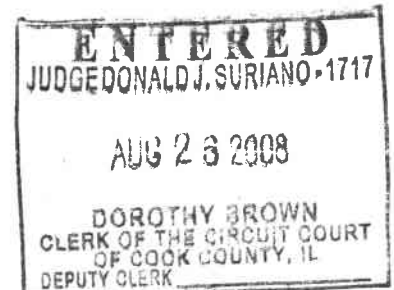
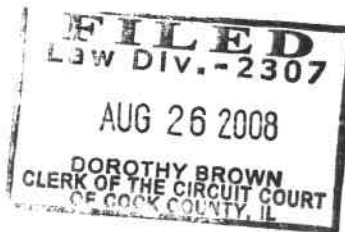
C.A. Myette

Jay Gless

Lisa Wilcher

[Signature]

Jaine Ortega



**SPECIAL INTERROGATORY NO. 2**

Was the Tollway's conduct a proximate cause of the accident?

Yes \_\_\_\_\_

No X

Conall Corda  
Foreperson

Melissa DiSalvo

Mailez Monlez

Roxi Amato

L.M. May

Ben Studd

[Signature]

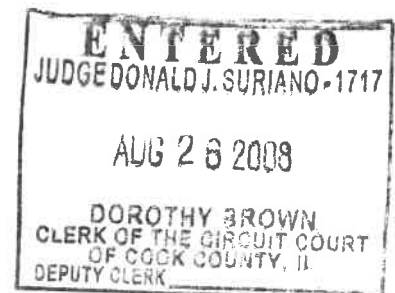
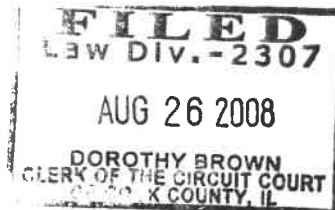
C.A. Myette

Jay Galt

Lesa Wilcher

[Signature]

Jane Orsini





IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

MARISSA LINGAFELTER, )  
individually, and as Special )  
Administrator of the Estate of LEWIS )  
LINGAFELTER, Jr., Deceased, )  
Plaintiffs, )  
v. ) 06 L 001810  
OVERNITE TRANSPORTATION )  
COMPANY, JAMES GARRETT, )  
ILLINOIS STATE TOLL HIGHWAY )  
AUTHORITY, UNITED PARCEL )  
SERVICE, INC., UNITED PARCEL )  
SERVICE CO., )  
Defendants. )

VERDICT FORM B

The Court being fully apprised of the jury's findings on Verdict Form A in the above-captioned lawsuit relating to 1) the claims of Plaintiff against Overnite Transportation Company, James Garrett and the Illinois State Tollway Authority; 2) the counterclaim for contribution of Overnite Transportation Company and James Garrett and 3) the counterclaim for contribution by the Illinois State Toll Highway Authority enters finding of law and fact relating to the property damage counterclaim of the Illinois State Toll Highway Authority against James Garrett and Overnite Transportation Company as follows:

- A. The Illinois State Toll Highway Authority sustained pecuniary property damages as a result of the occurrence on 12/6/2005 in the amount of SEVENTY THOUSAND FIVE HUNDRED THIRTY EIGHT DOLLARS AND NINETY SEVEN CENTS;
- B. The Court apportions fault among the parties as follows:

James Garrett and Overnite Transportation Company 100 %;  
The Illinois State Tollway Highway Authority 0 %  
Total 100 %

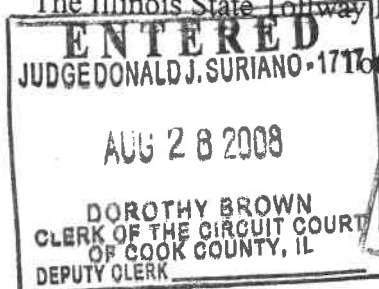
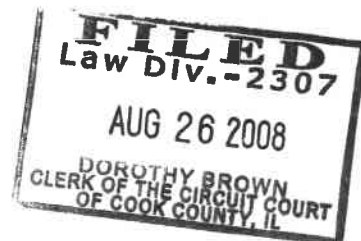


EXHIBIT 4

- C. The Court finds Overnite Transportation Company and James Garrett liable for causing damage to property of the Illinois State Toll Highway Authority in the amount of \$ 70,538.<sup>97</sup>.



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Marissa Lingafelter as Special  
Administrator of the Estate of LEWIS  
LINGAFELTER, JR. deceased

OVERNITE TRANSPORTATION COMPANY,  
JAMES GARRETT and ILLINOIS  
STATE TOLL HIGHWAY AUTHORITY

No. 06 L 1810

ORDER

This matter coming on for jury trial, all parties have presented their evidence, the jury having been duly instructed, ~~and~~ having deliberated and having rendered their verdict in open court in favor of Marisa Lingafelter as Special Administrator and against Overnite Transportation Company and James Garrett ~~and also~~ in the amount of \$22,520,000.00 and also in favor of Illinois State Toll Highway Authority and against Marissa Lingafelter as Special Administrator of the Estate of Lewis Lingafelter, Jr., deceased, Overnite Transportation Company and James Garrett and the Court being fully advised in the premises:

IT IS HEREBY ORDERED that Judgment be and hereby ~~is~~ entered on ~~the~~ Verdict Form A and Verdict Form B as follows:

1) Judgment be and hereby is entered in favor of the ~~Estate~~ Marissa Lingafelter as Special Administrator of the Estate of Lewis Lingafelter, Jr. in the sum of \$22,520,000.00

Atty. No.: ~~40669~~ 40669

Name: RW Schumacher & John Patten Jr

Atty. for: Illinois State Toll Highway Authority

Address: 330 N. Wabash # 2900

City/State/Zip: Chicago, IL 60611

Telephone: 312-261-5160

ENTERED:

Dated:

Judge

<b>ENTERED</b>	
JUDGE DONALD J. SURIANO-1717	
AUG 26 2008	
DOROTHY BROWN	Judge's No.
CLERK OF THE CIRCUIT COURT	
OF COOK COUNTY, IL	
DEPUTY CLERK	

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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EXHIBIT 5

of the Estate of Lewis Lingafelter, Jr.



ORDER

CCG N002-300M-2/28/05(43480658)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Marissa Lingafelter as Special  
Administrator of the  
Estate of Lingafelter,

v.

No. 06L1810

Overnite Transportation Company,  
James Garrett and Illinois State Toll Highway Authority

ORDER

against Overnite Transportation Company and James Garrett  
2) Judgment be and hereby is entered in favor of ILLINOIS  
STATE TOLL HIGHWAY AUTHORITY AND AGAINST MARISSA LINGAFELTER  
as Special Administrator of the Estate of Lewis Lingafelter, Jr.,  
deceased on her claim against it;

3) Judgment be and hereby is entered in favor of ILLINOIS  
STATE TOLL HIGHWAY AUTHORITY ON ITS COUNTERCLAIM AGAINST  
OVERNITE TRANSPORTATION COMPANY and JAMES GARRETT  
IN THE STIPULATED SUM OF \$70,538.97

4) Judgment be and hereby is entered ~~in favor of~~ in favor of  
ILLINOIS STATE TOLL HIGHWAY AUTHORITY AND AGAINST OVERNITE  
TRANSPORTATION COMPANY and JAMES GARRETT ON ALL COUNTERCLAIMS  
FOR CONTRIBUTION.

Distribution Order to follow.

Further the Court Sayeth Waught,

Atty. No.: ~~416699~~ 40669

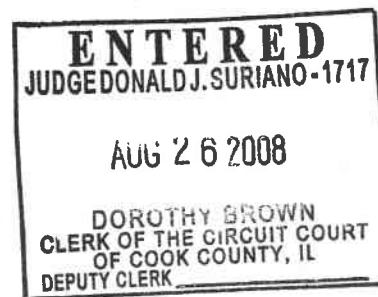
Name: John Patten Tr.

Atty. for: Tollway

Address: 330 N. Wabash # 2900

City/State/Zip: Chicago, IL 60611

Telephone: 312-261-5160



ENTERED:

Dated:

Judge

Judge's No.

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS